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Orange County Transportation Authority: Art Brown, Buena Park

Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission: Keith Millhouse, Moorpark

MEETING OF THE

SOLID WASTE TASK FORCE

NOTE CHANGE IN MEETING TIME

**Monday, May 21, 2007
10:30 a.m. – 11:30 a.m.**

SCAG Offices

**818 West 7th Street, 12th Floor
Conference Room – Imperial
Los Angeles, CA 90017
213.236.1800**

If members of the public wish to review the attachments or have any questions on any of the agenda items, please contact Jacob Lieb at 213.236.1921 or lieb@scag.ca.gov

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SOLID WASTE TASK FORCE

AGENDA

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"Any item listed on the agenda (action or information) may be acted upon at the discretion of the Committee."

1.0 **CALL TO ORDER & PLEDGE OF ALLEGIANCE**

Hon. Toni Young,
Chair

2.0 **PUBLIC COMMENT PERIOD**

Members of the public desiring to speak on an agenda item or items not on the agenda, but within the purview of the Committee, must fill out and present a speaker's card to the Assistant prior to speaking. A speaker's card must be turned in before the meeting is called to order. Comments will be limited to three minutes. The chair may limit the total time for all comments to twenty (20) minutes.

3.0 **REVIEW and PRIORITIZE AGENDA ITEMS**

4.0 **CONSENT CALENDAR**

4.1 **Approval Item**

4.1.1 Minutes of April 23, 2007 Meeting
Held until next meeting.

4.2 **Receive and File**

4.2.1 Membership List with
Contact Information
Attachment

1

5.0 **INFORMATION ITEMS**

5.1 Green Energy Conference

Linda
Paxton

20 minutes

Members will receive details on the upcoming Green Energy Conference.

5.2 2007 State Legislation
Attachment

Jeff Dunn,
SCAG Staff

3

20 minutes

Continued discussion of state legislative proposals: AB 722; AB 1150; AB 1237; SB 1020.



SOLID WASTE TASK FORCE

AGENDA

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6.0 CHAIR'S REPORT

Hon. Toni Young,
Chair

7.0 FUTURE AGENDA ITEMS

Any Committee members or staff desiring to place items on a future agenda may make such request.

8.0 ANNOUNCEMENTS

9.0 ADJOURNMENT

The next meeting of the Solid Waste Task Force will be held on Monday, June 25, 2007 in the SCAG offices in downtown Los Angeles.



SOLID WASTE TASK FORCE AGENDA

May 21, 2007

10:30 a.m. to 11:30 a.m.

Name	Address	Phone	Fax	e-mail
Acosta, Glenn	Mr. Glenn Acosta, P.E. 1955 Workman Mill Road Whittier, CA 90601	(562) 699-7411 ext.2723	(562) 695-1874	gacosta@lacsdsd.org
Carroll, Stan	Mr. Stan Carroll 659 Lamat Road La Habra Heights, CA 90631	(562) 690-4645		GW1763@aol.com
Cook, Debbie	Hon. Debbie Cook 6692 Shetland Circle Huntington Beach, CA 92648	(714) 536-5553	(714) 536-5233	hbdac@hotmail.com
Clark, Margaret	Hon. Margaret Clark 3109 N. Prospect Rosemead, CA 91770	(626) 288-7308	(626)307-9218	jsavaadra@cityofrosemead.org
Eckenrode, Norman	Hon. Norman Eckenrode Councilmember, City of Placentia 401 E. Chapman Ave. Placentia, CA 92870	(714) 993-8261	(714)961-0283	neckenrode@adelphia.net
Martin, Kay	Ms. Kay Martin Vice President, BioEnergy Producers Assn. 236 Ferro Drive Ventura, CA 93001	(805) 653-5935		kay4bioenergy@aol.com
Miller, Michael	Mr. Michael Miller P.O. Box 4742 West Covina, CA 91791	(626) 337-1606	(626) 337-3397	millereviro@earthlink.net
Miller, Scott	Mr. Scott Miller 12360 Landale Street Studio City, CA 91604	(818) 508-5514		millier@performancegraphics.com
Mohajer, Mike	Mr. Mike Mohajer P.O. Box 3334 San Dimas, CA 91773	(909) 592-1147		mikemohajer@yahoo.com
Nelson, Larry	Hon. Larry Nelson Councilmember, City of Artesia 18747 Clarkdale Ave	(562) 865-6262	(562) 865-6240	lnelson@cityofartesia.org

SOLID WASTE TASK FORCE AGENDA

May 21, 2007

10:30 a.m. to 11:30 a.m.

	Artesia, CA 90701-5899				
Paxton, Linda	Ms. Linda L. Paxton	Office (805) 347-9990 Cell (714) 412-0745			llpaxton@comcast.net
Smith, Greig	Hon. Greig Smith Councilmember, City of Los Angeles District 12 200 N. Spring Street, 4th FL Room 405 Los Angeles, CA 90012	(213) 473-7012	(213) 473-6925		smith@council.lacity.org
Van Arsdale, Lori	Hon. Lori Van Arsdale Councilmember, City of Hemet 445 E. Florida Ave Hemet, CA 92543	(951) 765-2303	(951) 765-3785		lvansardale@ci.hemet.ca.us
Vizcarra, Joe	Mr. Joe Vizcarra Lt. Traffic Operations Center Los Angeles Communications Center California Highway Patrol 120 S. Spring Street Los Angeles, CA 90012	(213) 897-6136	(213) 897-0519		jvizcarra@chp.ca.gov
Young, Toni (Chair)	Hon. Toni Young Councilmember, City of Port Hueneme 766 Polaris Way Port Hueneme, CA 93041-2333	(805) 986-6500	(805) 986-6581		ottoandtoni@verizon.net

2007 State Legislation Discussion

CA AB 722 **AUTHOR:** Levine [D]
 TITLE: Energy: General Service Incandescent Lamp
 INTRODUCED: 02/22/2007
 DISPOSITION: Pending
 COMMITTEE: Assembly Utilities and Commerce Committee
 HEARING: 04/23/2007 3:00 pm
 SUMMARY:
 Amends the Warren-Alquist State Resources Conservation and Development Act which requires the State Energy Resources Conservation and Development Commission to prescribe the minimum level of operating efficiency for lighting devices. Prohibits on and after a specified date the sale of general service incandescent lamps.
 STATUS:
 03/12/2007 To ASSEMBLY Committee on UTILITIES AND COMMERCE.

CA AB 1150 **AUTHOR:** Lieu [D]
 TITLE: Solid Waste: Transformation
 INTRODUCED: 02/23/2007
 DISPOSITION: Pending
 LOCATION: Assembly Natural Resources Committee
 SUMMARY:
 Relates to a transformation integrated waste management program. Defines transformation as the incineration of solid waste, or the processing of solid waste through a noncombustion thermal, chemical, or biological process.
 STATUS:
 03/15/2007 To ASSEMBLY Committee on NATURAL RESOURCES.

CA AB 1237 **AUTHOR:** Hancock [D]
 TITLE: Solid Waste: Solid Waste Facilities
 INTRODUCED: 02/23/2007
 DISPOSITION: Pending
 LOCATION: Assembly Natural Resources Committee
 SUMMARY:
 Relates to existing law which requires the Integrated Waste Management Board to either concur or object to the issuance or revision of a solid waste facility permit within 60 days from the board's receipt of a facility permit. Extends the time period in which the board may concur or object to 90 days. Eliminates the need for a public hearing prior to an enforcement action by the board.
 STATUS:
 03/15/2007 To ASSEMBLY Committee on NATURAL RESOURCES.

2007 State Legislation Discussion

CA SB 1020

AUTHOR: Padilla [D]
TITLE: Solid Waste: Diversion
INTRODUCED: 02/23/2007
LAST AMEND: 04/09/2007
DISPOSITION: Pending
COMMITTEE: Senate Environmental Quality Committee
HEARING: 04/16/2007 1:30 pm
SUMMARY:

Requires, with exceptions, that a city or county divert from landfill disposal or transformation no less than 75% of all solid waste, through source reduction, recycling, and composting activities. Makes nonsubstantive technical changes.

STATUS:

04/09/2007 From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments.
04/09/2007 In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.

ASSEMBLY BILL

No. 722

Introduced by Assembly Member Levine

February 22, 2007

An act to amend Section 25402.5 of the Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 722, as introduced, Levine. Energy: general service incandescent lamp.

The Warren-Alquist State Resources Conservation and Development Act requires the State Energy Resources Conservation and Development Commission to prescribe the minimum level of operating efficiency for lighting devices.

This bill would prohibit on and after January 1, 2012, the sale of general service incandescent lamps in the state.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 25402.5 of the Public Resources Code
- 2 is amended to read:
- 3 25402.5. (a) As used in this section, "lighting device" includes,
- 4 but is not limited to, a lamp, luminaire, light fixture, lighting
- 5 control, ballast, or any component of those devices.
- 6 (b) (1) The commission shall consider both new and
- 7 replacement, and both interior and exterior, lighting devices as
- 8 lighting which is subject to subdivision (a) of Section 25402.

(2) The commission shall include both indoor and outdoor lighting devices as appliances to be considered in prescribing standards pursuant to paragraph (1) of subdivision (c) of Section 25402.

(3) The Legislature hereby finds and declares that paragraphs (1) and (2) are declarative of existing law.

(c) The commission shall adopt efficiency standards for outdoor lighting. The standards shall be technologically feasible and cost-effective. As used in this subdivision, "outdoor lighting" refers to all electrical lighting that is not subject to standards adopted pursuant to Section 25402, and includes, but is not limited to, street lights, traffic lights, parking lot lighting, and billboard lighting. The commission shall consult with the Department of Transportation-~~CALTRANS~~ (*Caltrans*) to ensure that outdoor lighting standards that affect ~~CALTRANS~~ *Caltrans* are compatible with that department's policies and standards for safety and illumination levels on state highways.

(d) (1) *On and after January 1, 2012, a general service incandescent lamp shall not be sold in the state.*

(2) *For the purposes of this subdivision, "general service incandescent lamp" means a standard incandescent or halogen type lamp that is intended for general service applications and has all of the following:*

(A) *A medium screw base.*

(B) *A wattage rating no less than 25 watts and no greater than 150 watts.*

(C) *A A-15, A-19, A-21, A-23, A-25, PS-25, PS-30, BT-14.5, BT-15, CP-19, TB-19, CA-22, or equivalent shape as defined in the American National Standard Institute C78.20-2003.*

(D) *A bulb finish of frosted, clear, or soft white type.*

(3) *A general service incandescent lamp does not include an appliance lamp, black light lamp, bug lamp, colored lamp, enhanced spectrum lamp, infrared lamp, left-hand tread lamp, marine lamp, marine signal service lamp, mine service lamp, plant light, reflector lamp, rough service lamp, shatter resistant lamp, sign service lamp, silver bowl lamp, showcase lamp, three-way lamp, traffic signal lamp, or vibration service or vibration resistant lamp.*

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ASSEMBLY BILL

No. 1150

Introduced by Assembly Member Lieu

February 23, 2007

An act to amend Section 40201 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 1150, as introduced, Lieu. Solid waste: transformation.

(1) The California Integrated Waste Management Act of 1989 establishes an integrated waste management program administered by the California Integrated Waste Management Board and requires each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan containing specified components. The first and each subsequent revision of the element is required to divert 50% of the solid waste subject to the element, on and after January 1, 2000, through source reduction, recycling, and composting activities and this 50% diversion requirement is limited to including not more than 10% through transformation. The act defines the term "transformation" as meaning incineration, pyrolysis, distillation, or biological conversion other than composting.

This bill would instead define transformation as the incineration of solid waste, or the processing of solid waste through a noncombustion thermal, chemical, or biological process. The bill would create a state-mandated local program by imposing new duties upon local agencies with regard to meeting the act's diversion requirements.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 40201 of the Public Resources Code is
2 amended to read:
3 40201. "Transformation" means *the* incineration, ~~pyrolysis,~~
4 ~~distillation, or biological conversion other than composting of solid~~
5 ~~waste or the processing of solid waste, through a noncumbustion~~
6 ~~thermal, chemical, or biological process.~~—"Transformation"
7 Transformation does not include composting, gasification, or
8 biomass conversion.
9 SEC. 2. No reimbursement is required by this act pursuant to
10 Section 6 of Article XIII B of the California Constitution because
11 a local agency or school district has the authority to levy service
12 charges, fees, or assessments sufficient to pay for the program or
13 level of service mandated by this act, within the meaning of Section
14 17556 of the Government Code.

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ASSEMBLY BILL

No. 1237

Introduced by Assembly Member Hancock

February 23, 2007

An act to amend Sections 43218, 43219, 43220, 44009, 45012, and 45013 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 1237, as introduced, Hancock. Solid waste: solid waste facilities.

(1) The Integrated Waste Management Act requires the Integrated Waste Management Board, in writing, to either concur or object to the issuance, modification, or revision of a solid waste facility permit within 60 days from the date of the board's receipt of a completed proposed solid waste facility permit. If the board fails to concur or object within the 60-day period, the board is deemed to have concurred with the issuance, modification, or revision of the proposed solid waste facility permit.

This bill would extend the time period in which the board may concur or object to 90 days. If the board fails to concur or object within the 90-day period, the board would, instead, be deemed to have objected to the issuance, modification, or revision of the proposed solid waste facility permit.

(2) The act requires the enforcement agency to conduct at least one inspection at each solid waste facility within its jurisdiction each month and requires the board and a local enforcement agency to conduct a joint inspection at least once every 18 months. The board is also authorized to inspect and investigate of solid waste facilities to evaluate a local enforcement agency and to ensure compliance with the state minimum standards.

This bill would require that at least one inspection conducted by the enforcement agency alone or jointly with the board be unannounced. The board would also be authorized to conduct unannounced inspections and investigations of solid waste facilities.

(3) The act prohibits the board from taking any enforcement actions unless it has provided notice to the local enforcement agency and the violator of its intent to take that action, allowed them a reasonable opportunity to correct the violation, and holds a public hearing on the matter. The act also requires the board upon the request of the local enforcement agency, to provide guidance to the local enforcement agency on the inspection and investigation of certain specified disposal sites.

This bill would eliminate the need for a public hearing prior to an enforcement action by the board. The board would be required to provide a local enforcement agency with assistance and guidance regarding the inspection, investigation, enforcement, and remediation of certain specified disposal sites.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 43218 of the Public Resources Code is
- 2 amended to read:
- 3 43218. ~~Each~~ *An* enforcement agency shall ~~inspect~~ *conduct at*
- 4 *least one unannounced inspection of* each solid waste facility
- 5 within its jurisdiction ~~at least one time~~ each month and shall file,
- 6 within 30 days of the inspection, a written report in a format
- 7 prescribed by the board.
- 8 SEC. 2. Section 43219 of the Public Resources Code is
- 9 amended to read:
- 10 43219. (a) The board may, at its discretion, conduct
- 11 *unannounced* inspections and investigations of solid waste facilities
- 12 in order to evaluate the local enforcement agency and to ensure
- 13 that state minimum standards are met.
- 14 (b) Except as otherwise provided by Section 43220, the board,
- 15 in conjunction with an inspection conducted by the local
- 16 enforcement agency, shall conduct inspections of solid waste
- 17 facilities within the jurisdiction of each local enforcement agency.
- 18 The board shall inspect the types and number of solid waste

1 facilities ~~which~~ *that* are determined by the board to be necessary
2 to adequately evaluate whether the local enforcement agency is
3 ensuring compliance by solid waste facilities with state minimum
4 standards. A written inspection report shall be prepared and
5 submitted within 30 days of the inspection to the local enforcement
6 agency.

7 (c) If the board identifies any significant violation of state
8 minimum standards that were not identified and resolved through
9 previous inspections by the local enforcement agency, the board
10 shall take appropriate action as authorized by Sections 43215 and
11 43216.5.

12 (d) Notwithstanding any other provision of this section and
13 Sections 43215 and 43216, if, as a result of a facility inspection
14 conducted pursuant to subdivision (b), the board finds that
15 conditions at a solid waste facility within the jurisdiction of a local
16 enforcement agency threaten public health and safety or the
17 environment, the board shall, within 10 days of notifying the local
18 enforcement agency, become the enforcement agency until another
19 local enforcement agency is designated locally and certified by
20 the board.

21 SEC. 3. Section 43220 of the Public Resources Code is
22 amended to read:

23 43220. The board, in conjunction with an inspection conducted
24 by the local enforcement agency, shall conduct at least one
25 *unannounced* inspection every 18 months of each solid waste
26 landfill and transformation facility in the state. A written inspection
27 report shall be prepared and submitted within 30 days of the
28 inspection to the local enforcement agency. If the board identifies
29 any significant violation of state minimum standards that was not
30 resolved through previous inspections by the local enforcement
31 agency, the board shall take appropriate action as authorized by
32 Sections 43215 and 43216.5 and subdivision (d) of Section 43219.

33 SEC. 4. Section 44009 of the Public Resources Code is
34 amended to read:

35 44009. (a) (1) The board shall, in writing, concur or object
36 to the issuance, modification, or revision of ~~any~~ *a* solid waste
37 facilities permit within ~~60~~ 90 days from the date of the board's
38 receipt of ~~any~~ *a completed* proposed solid waste facilities permit,
39 *as determined by the board*, submitted under Section 44007 after
40 consideration of the issues in this section.

1 (2) If the board determines that the permit is not consistent with
2 the state minimum standards adopted pursuant to Section 43020,
3 or is not consistent with Sections 43040, 43600, 44007, 44010,
4 44017, 44150, and 44152 or Division 31 (commencing with Section
5 50000), the board shall object to provisions of the permit and shall
6 submit those objections to the local enforcement agency for its
7 consideration.

8 (3) If the board fails to concur or object in writing within the
9 ~~60-day~~ 90-day period specified in paragraph (1), the board shall
10 be deemed to have ~~concurred in~~ *objected to* the issuance of the
11 permit as submitted to it.

12 (b) Notwithstanding subdivision (a), the board is not required
13 to concur in, or object to, and shall not be deemed to have
14 concurred in, the issuance of a solid waste facilities permit for a
15 disposal facility if the owner or operator is not in compliance with,
16 as determined by the regional water board, an enforcement order
17 issued pursuant to Chapter 5 (commencing with Section 13300)
18 of Division 7 of the Water Code, or if all of the following
19 conditions exist:

20 (1) Waste discharge requirements for the disposal facility issued
21 by the applicable regional water board are pending review in a
22 petition before the state water board.

23 (2) The petition for review of the waste discharge requirements
24 includes a request for a stay of the waste discharge requirements.

25 (3) The state water board has not taken action on the stay request
26 portion of the pending petition for review of waste discharge
27 requirements.

28 (c) In objecting to the issuance, modification, or revision of any
29 solid waste facilities permit pursuant to this section, the board
30 shall, based on substantial evidence in the record as to the matter
31 before the board, state its reasons for objecting. The board shall
32 not object to the issuance, modification, or revision of any solid
33 waste facilities permit unless the board finds that the permit is not
34 consistent with the state minimum standards adopted pursuant to
35 Section 43020, or is not consistent with Section 43040, 43600,
36 44007, 44010, 44017, 44150, or 44152 or Division 31
37 (commencing with Section 50000).

38 (d) Nothing in this section is intended to require that a solid
39 waste facility obtain a waste discharge permit from a regional
40 water board prior to obtaining a solid waste facilities permit.

1 SEC. 5. Section 45012 of the Public Resources Code is
2 amended to read:

3 45012. (a) *The board may take an enforcement action that a*
4 *local enforcement agency may take under this part.* The board
5 shall not take any enforcement action specified in this part without
6 providing notice to the local enforcement agency and the violator
7 of the board's intent to take that action, *and* allowing the local
8 enforcement agency and the violator a reasonable opportunity to
9 correct the violation, ~~and conducting a public hearing on the matter.~~
10 In taking ~~any such~~ *an* enforcement action, the board is vested, in
11 addition to its other powers, with all of the powers of a local
12 enforcement agency under this division.

13 (b) Notwithstanding subdivision (a), if the board finds that a
14 local enforcement agency's failure to take enforcement action
15 constitutes an imminent threat to public health or safety or to the
16 environment, the board may take the enforcement action, as the
17 board determines is necessary.

18 SEC. 6. Section 45013 of the Public Resources Code is
19 amended to read:

20 45013. The board shall, ~~upon the request of the local~~
21 ~~enforcement agency,~~ provide guidance *and assistance* to the
22 enforcement agency regarding the inspection ~~and~~, investigation,
23 *enforcement, and remediation* of illegal, abandoned, ~~or~~ inactive,
24 *or* closed *disposal* sites; to ensure that public health and safety and
25 the environment are protected.

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AMENDED IN SENATE APRIL 9, 2007

SENATE BILL

No. 1020

Introduced by Senator Padilla

February 23, 2007

An act to amend ~~Section 41780~~ Sections 41780, 41820.5, and 41820.6 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 1020, as amended, Padilla. Solid waste: diversion.

(1) The California Integrated Waste Management Act of 1989, which is administered by the California Integrated Waste Management Board, requires each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan containing specified components. The source reduction and recycling element of that plan is required to divert 50% of all solid waste from landfill disposal or transformation by January 1, 2000, through source reduction, recycling, and composting activities.

This bill would increase that requirement to require, on and after January 1, 2012, *with exceptions*, that a city or county divert from landfill disposal or transformation no less than 75% of all solid waste, through source reduction, recycling, and composting activities, thereby imposing a state-mandated local program by imposing new duties upon local agencies with regard to the management of solid waste.

This bill would also make nonsubstantive technical changes.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 41780 of the Public Resources Code is
2 amended to read:

3 41780. (a) Each city or county source reduction and recycling
4 element shall include an implementation schedule that shows both
5 of the following:

6 (1) For the initial element, the city or county shall divert 25
7 percent of all solid waste from landfill disposal or transformation
8 by January 1, 1995, through source reduction, recycling, and
9 composting activities.

10 (2) Except as provided in Sections 41783, ~~41784, and 41785~~
11 ~~and 41784~~, for the first and each subsequent revision of the
12 element, the city or county shall divert 50 percent of all solid waste
13 ~~on and after~~ by January 1, 2000, ~~and 75 percent on and after~~
14 ~~January 1, 2012~~, through source reduction, recycling, and
15 composting activities.

16 (b) Nothing in this part prohibits a city or county from
17 implementing source reduction, recycling, and composting
18 activities designed to exceed these requirements.

19 SEC. 2. Section 41820.5 of the Public Resources Code is
20 amended to read:

21 41820.5. (a) ~~In addition to its authority under Section 41820,~~
22 ~~the~~ The board may, after a public hearing, grant a time extension
23 from the diversion requirements of Section 41780 to a city if both
24 of the following conditions exist:

25 (1) The city was incorporated pursuant to Division 3
26 (commencing with Section 56000) of Title 5 of the Government
27 Code after January 1, 1990, and before January 1, 2001.

28 (2) The county within which the city is located did not include
29 provisions in its franchises that ensured that the now incorporated
30 area would comply with the diversion requirements of Section
31 41780.

32 (b) The board may authorize a city that meets the requirements
33 of subdivision (a) to submit a source reduction and recycling
34 element that includes an implementation schedule that shows both
35 of the following:

1 (1) The city shall divert 25 percent of its estimated generation
2 amount of solid waste from landfill or transformation facilities
3 within three years from the date on which the source reduction
4 and recycling element is due pursuant to subdivision (b) of Section
5 41791.5, through source reduction, recycling, and composting
6 activities.

7 (2) The city shall divert 50 percent of its estimated generation
8 amount of solid waste from landfill or transformation facilities
9 within eight years from the date on which the source reduction
10 and recycling element is due pursuant to subdivision (b) of Section
11 41791.5, through source reduction, recycling, and composting
12 activities.

13 *SEC. 3. Section 41820.6 of the Public Resources Code is*
14 *amended to read:*

15 41820.6. (a) ~~In addition to its authority under Section 41820,~~
16 ~~the~~ The board may, after a public hearing, grant a time extension
17 from the diversion requirements of Section 41780 to a city if both
18 of the following conditions exist:

19 (1) The city was incorporated pursuant to Division 3
20 (commencing with Section 56000) of Title 5 of the Government
21 Code on or after January 1, 2001.

22 (2) The county within which the city is located did not include
23 provisions in its franchises that ensured that the now incorporated
24 area would comply with the diversion requirements of Section
25 41780.

26 (b) The board may authorize a city that meets the requirements
27 of subdivision (a) to submit a source reduction and recycling
28 element that includes an implementation schedule that shows that
29 the city shall divert 50 percent of its estimated generation amount
30 of solid waste from landfill or transformation facilities, within
31 three years from the date on which the source reduction and
32 recycling element is due pursuant to subdivision (b) of Section
33 41791.5, through source reduction, recycling, and composting
34 activities.

35 *SEC. 4. No reimbursement is required by this act pursuant to*
36 *Section 6 of Article XIII B of the California Constitution because*
37 *a local agency or school district has the authority to levy service*
38 *charges, fees, or assessments sufficient to pay for the program or*
39 *level of service mandated by this act, within the meaning of Section*
40 *17556 of the Government Code.*

1 SECTION 1. ~~Section 41780 of the Public Resources Code is~~
2 ~~amended to read:~~

3 ~~41780. (a) Each city or county source reduction and recycling~~
4 ~~element shall include an implementation schedule that shows~~
5 ~~on and after January 1, 2012, the city or county shall divert from~~
6 ~~landfill disposal or transformation, no less than 75 percent of all~~
7 ~~solid waste, through source reduction, recycling, and composting~~
8 ~~activities:~~

9 ~~(b) Nothing in this part prohibits a city or county from~~
10 ~~implementing source reduction, recycling, and composting~~
11 ~~activities designed to exceed these requirements.~~

12 SEC. 2. ~~No reimbursement is required by this act pursuant to~~
13 ~~Section 6 of Article XIII B of the California Constitution because~~
14 ~~a local agency or school district has the authority to levy service~~
15 ~~charges, fees, or assessments sufficient to pay for the program or~~
16 ~~level of service mandated by this act, within the meaning of Section~~
17 ~~17556 of the Government Code.~~

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